IMPORTANT

Powers of Special Session Are Defined.

LIMITED TO ONE SUBJECT

Attorney General Says Special Session May Consider Only Appropriations.

submitted an opinion in reply to the resolution of Senator Achi inquiring If measure other than the appropriation bill might be taken up by the special session of the Legislature. The opinion was prepared by Assistant Attorney-General Dutine, and the question was considered at great length, numerous citations being given in illustration. The exhaustive consideration brings about the conclusion that the Legislative power of the special session is confined to the subject of appropriations

A letter by Attorney-General Dole, endorsing the opinion of Mr. Dunne. was submitted also. The opinion is, in part, as follows:

In a Territory of this character—the child and the creature of Congress—the Organic Act, as the formal expression of the intention of Congress, constitutes the fundamental law of the land. No question is involved here of the operation of the Congression of the Congress the Congression of the Congress the intention of Congress, constitutes the fundamental law of the land. No question is involved here of the operation of the Constitution of the United States or of any law of the United States; so far as relevant to this discussion, the only ment of the Legislature. And this exact. as relevant to this discussion, the only ment of the Legislature. And this emer-relations requiring examination are those between the Legislature and the Organic the Act which deals, not with the regu-Act; and as against the Legislature, as against all other Departments of the appropriations, sure and simple. * * Territorial Government, this Organic Act must be regarded as the supreme and paramount law.

This supreme and paramount Organic pendent departments of government; it inhibits the commingling of their powers; it negatives the conferring by the

"The Organic Act requires that in case of failure of the Legislature to pass appropriation bills," and upon the happening of that specific contingency, and no other, 'the Governor shall, upon the adjournment of the Legislature, call it in extra session for the consideration of ap propriation bills," and 'we are not at libpropriation bills, and we are not at the error of the beplain that the extent of legislative constitution, or the people who adopted it, did not understand the force of language. This particularization of a specifically identified subject matter cannot be an associated by the terms in which it is measured by the terms in which it has been conferred, and cannot be enbe regarded as any authorization for the larged by the Legislature beyond those enactment of laws for any allen pure terms, or to any other object. And when pose; 'the law is the definition and limi- we reflect that this extra session has its Minister Cons tation of power," the Legislature has constitutional power at such 'extra ses-sion," to proceed to 'the consideration of have considered such bills, in the effective sense intended by the Organic Act, their power, under the section now before me, will have been exhausted. Legislation for foreign or alien proposes. islation for foreign or alien purposes— urgent business of providing appropriations to be transacted at such extra sesample-cannot, except by some process of verbal terture, be described as legislation concerning 'appropriation bills,' other words, by devoting itself to the consideration of highways (to pursue the illistration), instead of to 'the consideration of appropriation bills, the Legisla-ture would manifestly be attempting to extend its jurisdiction to a class of legislation essentially alien from, and for-eign to, the specific class mentioned in this section of the Organic Act. If the Legislature has the power, in the teeth of this mandate of the Organic Act, to extend its 'extra session' jurisdiction to highways, it may also extend that jurisdiction to health regulations, to police Why should an extra session become per-regulations, to educational regulations, missible only upon the failure of the to any other class of legislation which may fall within the scope of its legiti-mate constitutional authority as exercised at a 'regular' or a 'special' session. The inhibition is no stronger in the one case than in the other; the usurpation of power would be fully as reprehensible in restrict the Legislature to the considera-the one case as in the other; and to tion of the particular business in which blink the plain terms of this provision it had lapsed, of what imaginable utility would be tantamount to the destruction is the language for the consideration of the identity of the 'extra session' que appropriation bills". Upon the theory of the identity of the 'extra session' qua-'extra session', and to the repeal of sec-tion 54, by assimilating the 'extra' to the 'regular' or 'special' session. Thus would an 'extra session' called upon the happening of a specific contingency, for a constitutionally limited purpose, be-come as wide open as either the 'regular' or 'special' session; thus would all

or the start visions of that the start of th wouldn't be the stay through the subtract of the constraints of the constraints and the subtract of the subtra instantity by virtue thereof will be void, and this suggestion has particular applicability to a mature authorizing a time to be a mature authorized to observed that all emphiling acts, like this Oraxine. Act, impliedly problem any other than the stalling problem and another the particular acts which they authorize, the special resolution created must be strictly pursued, and the provincine resultating the procedure are mandatory as to the considerable the considerable the provincine resultating the provincine resultating the strictly pursued that the provincine resultating the strictles are mandatory as to the considerable the considerable the considerable that its structure of the thing required to be done.

ransacted at the regular boundal sea- lows that the section is mandator

appropriations, they arranged section is object and purpose—its only object and
purpose—is the consideration of appropriation bills. Two conditions must be
satisfied before it can have actual operalimits legislative power, at an extra gency session is found in that portion of the Act which deals, not with the regu-"If, at the regular session, the Legis-

session for any other purpose than the consideration of appropriation bills, be consideration of appropriation bills, be held to create any right in the Legislature of the functions of one department upon another; and all this it power under the section in question thus does, although no provision to this specific effect may be perceived in the Act.

"The Organic Act requires that in case of failure of the Legislature to pass, appropriation bills, be with regard to his duries. This meanting he made the statement that be would give out before seaving a written does, although no provision to this specific effect may be perceived in the Act.

"The Organic Act requires that in case of failure of the Legislature to pass, appropriation bills, be with regard to his duries. This meanting he made the statement that be would give out before seaving a written does, although no provision to this specifically limited complete the formula of if the Legislature had not falled to pass appropriation bills, the Governor would have no constitutional authority to call an extra session at all. It must thus be plain that the extent of legislative power, under this section, is limited to summon the Legislature in this extra session arises only upon the special

restrict legislative action to the consideration of appropriation bills-to the consideration of the precise business which necessitated such extra session. what was the necessity at all for section 54 and its limitations? Where was the need for any extra session whatever missible only upon the failure of Legislature to provide for appropriations at its regular session? And if it were the intent of the framers of this instrument that at such extra session the doors should be thrown wide open to general legislation, if the intent were not to of a wide open extra session, what vasection of restrictive language particu of section 5s within the same category as the regular seasion of section 41-to obliterate all distinction between regular omitted all distinction between tensions are sense, the destroyed; thus consistent with each of "Chand Transport of the Instrument be developed; the sense of sension, the destroyed; thus consistent with constitution of the Instrument be developed; the sense of the Instrument be developed and the sense of the Instrument of the framers of the Instrument of the framers of the sense of the Instrument of the Instrument of the sense of the Instrument of the sense of the Instrument of the sense of the Instrument of the Instrument of the sense of the Instrument of the In

"It was thus the intent of the framers of the Granic Act, in the establishment of their general scheme of legislation, that, in the absence of abnormal conditions, the entire business of the Legislator, the interesting appropriations, should be controlled to the condition of the legislator, the interesting appropriations, should be controlled to the condition of the legislator, the interesting appropriations of the legislator, the controlled to the condition of clon; they provided a general safeguard character, that he beginning in antagonism to morganize and abnormal conditions by creating the special session; and they provided against the specifical-subsequent approval of such beginning.

"The framers of this Act realized that governmental emergencies arose; this lesson they drew from the course of political history and to provide against contingencies of this specific character, so far as those contingencies involved appropriations, they drafted section is to operate as an emergency section. Its obever may be the prelixity or the crudlimits legislative power, at an extra session, to the consideration of appropri-

Reception to Comper.

DES MOINES, In., May 2.-A rublic reception was tendered to Minister Conger in the Auditorium of this city this afternoon under the auspices of the G. A. R. of Des Molnes. Fully 1888 people crowded into the building to lature should adopt adequate appropriation bills, no power would reside in the listen to the addresses and the re-Governor to call any extra session under sponse of the guest of honor who, for Act has, however, created in this Territory a government of distributed and
balanced powers. It creates three theebalanced powers are the section 54; but, upon what principle can an hour, detailed his experiences durthe what to hold councils of war. One of at the expected time, so the them was to split their force, one part body of men left the wharf a
balanced powers. It creates three threethree three to consult with the State Departmen with regard to his duties. This mor-

> the limitations prescribed in the Act, and party arrived this morning on reacts if section 54 had never been written, or home, and were met by a group of relatives from Des Molnes and a reception

Questioned with regard to the lows. Governorship, Mr. Conger said:

"If the nomination of Governor is of-fered to me I shall probably accept it. Until I have opportunity, however, to advise with my friends, I can say noth. stroller.

Crossing the river to Council Bluffs. we reflect that this extra session has its Minister Conger was met with a parade origin solely in a specifically limited of veteran soldiers, and this afternoon contingency—that gubernatorial power to be will be given a hanguet.

Fell With a Boot.

CHICAGO, May 1.-While wrecking way. Every store is busy, some have "bills payable," "letters," etc., hung on the old Winston apartment building a few shutters half masking the in- the walls, in company with an Ameriat 139 to 143 Pine street today, seven testies, but all are open. The sewing can calendar. were buried by the collapse of the machines are silent, while the tailors. The manager, A. Shami by name, extions to be transacted at such extra session—that they intended that ordinary legislative, business about not be transacted at a session which could constitute the such as a session, is sent in large contentment to the squarky times of a Chinese fields or a character regionally be convened only upon the specific emergency of a fallure of appropriation, and in response to the squarky times of a Chinese fields or a character region. Issen in large contentment to the squarky times of a Chinese fields or a character region. Issen in large contentment to the squarky times of a Chinese fields or a character region. Issen in large contentment to the squarky times of a Chinese fields or a character region. Issen in large contentment to the squarky times of a Chinese fields or a character region. Issen in large contentment to the squarky times of a Chinese fields or a character region. Issen in large contentment to the squarky times of a Chinese fields or an enquiry about geisha girls, grinted by the convergence of a Chinese fields or an enquiry about geisha girl yokohama, Kobe, plenty; no here; the intention of the framers of this convergence of the squarky times of a Chinese fields or an enquiry about geisha girl yokohama, Kobe, plenty; no here; the intention of the framers of this convergence of the convergence of the squarky times of a Chinese fields or an enquiry about geisha girl yokohama, Kobe, plenty; no here; the squarky times of a Chinese fields or an enquiry about geisha girl yokohama, Kobe, plenty; no here; the squarky times of a Chinese fields or an enquiry about geisha girls, grinted by a corporation, and in response to the squarky times of a Chinese fi tra session, if their intention were not part of the roof of the six story struct- colored soda water bottles that hang in work commencing about five feet from ure and were tearing down the walls almost every store, and illuminating the ground. The furniture consisted of

when the remainder of the roof fell, causing the walls to rough over.

BEWARE OF A COUGH.

A cough is not a disease, but a symptom Consumption and bronching which are the most dangerous and fatal disease, have for their first indication a persistent cough, and if properly treated as soon as this cough appears are easily cured. Chamber-lain's Cough Remedy has proven wentered in the properly treated as soon as this cough appears are easily cured. Chamber-lain's Cough Remedy has proven wentered the side of an accomparation of the shape of an incorporate cough as gained its wife partitions and extensive sale by its success in curring the ground. The furniture consisted of long olicioth covered tables, with forms running along the sides. Here men clustered men of the lower classes eating from one common bowl of rice with their fingers. The was there in by low of sola crackers. The kitchen lay at the back, furnished with an odor strongly resembling garlic.

Upstairs is reserved for the more desingulated guests. Several small receive are built round the sides, and the report parties of four and been with being many and all the side of sola crackers. The kitchen lay at the men comparatively limit, the wage and filled with an odor strongly resembling garlic.

Upstairs is reserved for the more desingulated guests. Several small receive are built round the side, and the report parties of four and been constructed as sold as sucked through a machine-made derfully successful and gained its wide reputation and extensive sule by its success in curing the diseases which cause coughing. If it is not beneficial size. The burder slope are bosy, it will not cost you a cere. For sale by all dealers and durgrists. Benson, South & Co. Lot senteral arcuits if reputation and extensive sule by its success in curring the diseases which socia sucked through a machine-made straw. The hurber shops are busy, it will not cost you a cera. For sale straw. The hurber shops are busy, but a cera factor of four and five were seated, the men as the women, smith & Co., Lad., general agents, M. The hurber shops are busy, but designs and durggists. Benson, Smith & Co., Lad., general agents, M. The hurber shops are busy and customs.

IAND FAKE PXPOSED.

To the Editor of the Blie Tribuse in the scatture, the restaurants have the same round tables and the care of the latter; and much longs to the continue for the same round tables and the successful appropriated from the larger of his matter at the same round tables and the care of which were discussed with charge to the work and the same round tables and the care same with the same round tables and the care same with the contents of which were discussed with charge of the work of the same round tables and the care same with the work of the Bouldon of May 7th. Its possible them in Canada with the work of the same round tables and the care same with the work of the same round tables and the care same there are dudishing to the property of the same and with the work of a paper package of the contents of which were discussed with means the work of the same round tables and the care same that the work of the same and the work of the work of the same and the work of the work of the same and the work of the work of the work of the same and the work of the work of the work of the same and the work of the work of the work of the work of the same ways and there a dudiship class property and there are same that the work of the w

CLASH OF HOSTILE GANGS LAST NIGHT ON WATERFRONT

Street Monday's Darly L.

There was was no on the waterway have splet. For a white it holded as if some ridy was going to be killed; by it was, there were several wounded by stores, which was historical and make attached with the wife stores are a new town.

A large garge composed of about a bun-fred mon and began of the low-set price of residents of Kaksabo started in to tween the Kukmaka gang and the water-

Last night about He'crock the Kaksuks gong came out of their part of hown is a tody and mot some of the waterfront tors, composed for the most part of turn ton the different local atlamers of stevedores, and immediately started to show fight. The waterfront boys did not have back at all, but started to defend themselves. There were probable IN men and boys engaged alrigother and unity forced the others from near the

Inhmarket to the explanate. Arrising on the explanate the waterfronters took up a stand in front of Wilder's wharves, while there of Kaknako stationed themselves in a body under the electric light near the Pacific Mail wharf, others and had the advantage. They new this and did not intend to lose by

The waterfronters shortly made up their minds to rush the Kakanakas in a Swipes probably had a great deal to do beds, and upon seeing this the larger with the trouble, but the gang from Kakanaka to throwing stones. Then the halfs began in earnest. As soon as the was on, the waterfront was foul with stone-throwing commenced one of the continues inspectors blew a whistle to by the drunken and disorderly rowdles,

raged. Several men were struck by Several witnesses to the affair, when stones, and one of them exhibited a master the stones began to fly, very wisely ty out on the law after the battle was made up their minds to seek shelter, for over, While the fight was on the shouts the missiles seemed to fall everywhere. and curses of the fighters could be brard. That more men were not hurt is a won-for blocks. Stones ratified on the roofs ider. of the sheds on the Partie Mail wharf. This was not the only excitement on and Wilder's wharf. Some of the men the waterfront last night. took up positions on the top of coal piles | Fifty men of the sailors' union were and threw lumps down upon the heads on the Navy wharf shortly before 10 of their adversaries.

The Sunday law does not apply on

SUNDAY NIGHT STROLL IN

What is generally known as China- anese vases stand on the floor

town, in that section of Pulama where | A kimono-clad manager stood in the

Sollowers of Confucius and the little entry last night, and a girl in gor-

brown man of Japan live as neighbors grous raiment and volummous obl

HONOLULU'S ASIATIC TOWN

sen in some upper room.

hold their attraction by living up in frost of those and coming and darleg them to come on This was not carried out for reasons that a lowber routh not be

hit all that was in his power to stop olding it, waterfronters back, and also upped the Kukuakon with a certain amount of respect, as he to a special offi-ore and a very powerful man. While the Kakasko gang was busy

were drepped and men and boys took to their heels as efficers jumped into the sabilite of the crowds and called upon the Enhance to cease. There were bloycle, foot and mounted police and the word was passed that the patrol was coming with mile officers, in a hurry. The for police grabbed hold of several men, Un becausably however, they did not get patrolmen and bleycle police started aft or the assaulting gang, which ran pell mell for Kakaako. All of the men of the waterfront gang started in chase of the Kakaakes with the police. The Kahaskes, however, were soon lost to view in the darkness, probably hiding in places best known to themselves only.

The patrol wagon arrived and more after a fruitless chase in the direction of Kakaako, returned to where the pa-The Kakaaka force far outnumbered the Other policemen had managed to secure four of the Kakaako gang however, and they were hustled into the wagon, tocether with the man who had been sesummen the pulse. There were none on those of the Kakaako gang in particularly and the time, however, and it was lar. The saliors and some of the stevescence time afterward before they ardores seemed to be a better lot of men than their opponents. They, at least, would not fight with stones, but called annually.

Twenty would not fight with stones but called annually.

Twenty to these to fight hand to hand. For fully twenty minutes the battle on the others to fight hand to hand.

of their adversaries.

New and then there was a but in the ters did not put a non-union crew aboard theht. During these breaks in action the waterfrontees would retreat to Wilder's the crew aboard, however, did not come wharf to held councils of war. One of off at the expected time, so the main them was to split their force, one part body of men left the wharf after sta-

Ayer's Cherry Pectoral

a cold, then a settled cough, then slow fever, night aweats, and hemorrhages.

at once and drive away all thought of

consumption. Regin as early as possi-

Don't neglect your cough. Stop it

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into consumption. First

of every kind and in every stage.

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Fifteen cents, it will pay 221/2 per cent

Twenty cents, it will pay 80 per cent Thirty cents, it will pay 45 per cent

Fifty cents, it will pay 75 per cent annually.
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New York Line. Once inside, however, signs of Amthe other side of the Nuuanu stream. erican adoption asserted themselves; a Beyond the burnt-out bett Ewa of bicycle stood behind the manager's

Numanu street, now being rapidly re- desk, a telephone hung on the walls, Bark FOOHNG SUEY will sail from built in substantial brick and stone, and in a cosy little office, lit with elec-NEW YORK for HONOLULU, on or King street, filed with life and light, tricity, a modern safe occupied one gleams like an Oriental Ratcliffe High- corner, and neat tin boxes labelled

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